

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
MICHELLE C. THOMPSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	DOCKET NO. 04-12301-RGS
	)	
BLOCKBUSTER, INC., and	)	
JAY WELLS, individually	)	
	)	
Defendants.	)	
_____	)	

**JOINT MOTION TO EXTEND DISCOVERY TIMELINES**

The parties in the above captioned action hereby request that this Court extend the discovery deadlines, as set forth in the *Joint Statement Submitted Pursuant to Fed.R.Civ.P. 26(f) and Local Rule 16.*), and as adopted by the Court on May 16, 2005, in order to facilitate the completion of discovery in this matter.

As grounds therefore, the parties state as follows:

1. Although both parties served discovery last summer, counsel for the defendants sought, and counsel for the plaintiffs assented to an extension to respond to the production of documents and interrogatories.
2. Documents were produced on October 26, 2005.
3. Several discovery issues were raised as a result of that production and a discovery conference was held on November 18, 2005.
4. Although there was partial resolution of the disputed issues, there remain significant differences between the parties regarding the completion of discovery.

5. As a result of the discovery dispute, counsel for the plaintiff postponed fact witness depositions, as plaintiff contends that many of the documents in dispute relate to fact witnesses plaintiff wishes to depose in this lawsuit.

6. Counsel for the plaintiff intends to depose as many fact witnesses as possible without the requested documents, but reserves the right to file a *Motion to Compel* their production if counsel for the plaintiff believes they are required after depositions.

7. As a result of the interruption in discovery to date, as well as the spring trial schedule for plaintiff's counsel, deposition of the remaining fact witnesses are not likely to commence before mid-March.

8. Counsel for the plaintiff intends to take approximately fifteen (15) fact witness depositions beginning in March, if permitted by the Court under Fed.R.Civ.P. 30(a)(2)(A). Defendants are likely to oppose any request to take depositions they believe are unwarranted.

9. It is expected that these fact depositions will be completed by July 15, 2006.

10. It is also expected that counsel for the parties will either resolve the remaining discovery issues, or plaintiff will file a *Motion to Compel* sometime well before the revised discovery deadline.

11. The proposed schedule concludes all discovery on July 15, 2006, permitting dispositive motions to be served by August 15, 2006 and responses served by September 15, 2006.

12. This schedule will permit trial, if necessary, to proceed in this matter by the end of the calendar year.

13. Both parties remain open to alternative dispute resolution as the Court may deem proper.

WHEREFORE, the parties request that this Court approve the schedule attached as Exhibit A.

Respectfully submitted,

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